

In the
Indiana Supreme Court



IN THE MATTER OF THE)
)
APPROVAL OF LOCAL RULES)
)
FOR LAPORTE COUNTY)

Case No. 46S00-1301-MS- 43

ORDER APPROVING AMENDED LOCAL RULES

The judges of the LaPorte Circuit and Superior Courts request the approval of amended local rules: for appointment of special judges in accordance with Ind. Trial Rule 79, and regulation of court reporter services in accordance with Ind. Administrative Rule 15. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the LaPorte Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR46-TR79(H)-1 and LR46-AR15-3 comply with the requirements of Ind. Trial Rule 79, and Ind. Administrative Rule 15, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that LaPorte County Local Rules, LR46-TR79(H)-1 and LR46-AR15-3, set forth as an attachment to this Order, are approved effective January 1, 2013, provided further that the rules shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Thomas Alevizos, LaPorte Circuit Court, 813 Lincoln Way, LaPorte, IN 46350-3429; the Hon. William J. Boklund, LaPorte Superior Court, 300 Washington Street, #116, Michigan City, IN 46360; the Hon. Jennifer L. Koethe, LaPorte Superior Court, 809 State Street, LaPorte, IN 46350-3429; the Hon. Kathleen Lang, LaPorte Superior Court, 300 Washington Street, Michigan City, IN 46360; the Hon. Richard Stalbrink, LaPorte Superior Court, 300 Washington Street, #202, Michigan City, IN 46360; to the Clerk of the LaPorte Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the LaPorte Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment

for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 15th day of January, 2013.

A handwritten signature in black ink, appearing to read "Brent E. Dickson", written over a horizontal line.

Brent E. Dickson
Chief Justice of Indiana

LR 46-TR79 (H) - 1 Selection of a Special Judge

Change of judge and recusal or disqualification of a judge

In the absence of an agreement as to a particular special judge [TR 79(D)] resulting in a special judge accepting jurisdiction of the case, the clerk of the court shall select a special judge [TR 79(H)] (on a rotating basis) from an alphabetical list of judges, full-time judicial officers eligible under Trial Rule 79(J), or judges or full-time judicial officers from contiguous counties outside the administrative district who have agreed to serve as a special judge in the court where the case is pending as follows:

Thomas J. Alevizos	LaPorte Circuit Court
Patrick B. Blankenship	Pulaski Superior Court
William J. Boklund	LaPorte Superior Court No. 4
Kim Hall	Starke Circuit Court
Jennifer L. Koethe	LaPorte Superior Court No. 3
Kathleen B. Lang	LaPorte Superior Court No. 1
Michael A. Shurn	Pulaski Circuit Court
Richard R. Stalbrink, Jr.	LaPorte Superior Court No. 2

In cases in which no judge or full-time judicial officer eligible under Trial Rule 79(J) is eligible to serve as special judge or the particular circumstance of a case warrants selection of a special judge by the Indiana Supreme Court, the regular sitting judge may certify the case to the Supreme Court for appointment of a special judge.

LR46 – AR 15 – 3 Court Reporting Services

Section One. Definitions: The following definitions shall apply under this local rule:

- (1) A *Court Reporter* is a person who is specifically designated by a Court to perform the official court reporting services for the Court including preparing a transcript of record.
- (2) *Equipment* means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, and any other device used for recording, storing, and transcribing electronic data.
- (3) *Work Space* means that portion of the Court's facilities dedicated to each court reporter and shall include, but not be limited to, actual space in the courtroom and any designated office space.
- (4) *Page* means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
- (5) *Recording* means the electronic, mechanical, stenographic, or other recording made as required by Indiana Rule of Trial Procedure 74.
- (6) *Regular hours worked* means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.
- (7) *Gap hours worked* means those hours worked that are in excess of the regular hours worked but are hours not in excess of forty (40) hours per work week.
- (8) *Overtime hours worked* means those hours worked in excess of forty (40) hours per work week.
- (9) *Work week* means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
- (10) *Court* means the particular court for which the court reporter performs services.
- (11) *County indigent transcript* means a transcript that is paid for from county funds and is to be used on behalf of a litigant who has been declared indigent by a Court.
- (12) *State indigent transcript* means a transcript that is paid for from state funds and is to be used on behalf of a litigant who has been declared indigent by a Court.
- (13) *Private transcript* means a transcript, including but not limited to a deposition transcript that is paid for by a private party.
- (14) *Expedited transcripts* are those which are requested to be completed within five (5) days.

Section Two. Salaries and Per Page Fees

- (1) Court reporters shall be paid an annual salary for time spent working under the control, direction, and direct supervision of their supervising Court.

(2) The maximum per page fee a court reporter may charge for the preparation of a county or state indigent transcript shall be a regular page rate of \$4.00 per page; \$4.25 per page, appellate page rate; and an expedited rate of \$7.00 per page for expedited transcripts.

(3) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be a regular page rate of \$4.50 per page; \$4.75 per page, appellate page rate; and an expedited rate of \$8.00 per page for expedited transcripts.

(4) The maximum fee that a court reporter may charge for copies shall be \$2.00 per page.

(5) A minimum fee of \$35.00 shall be required for any transcript ordered. (This includes county and state indigent transcripts.)

(6) An additional labor charge approximating the hourly rate based upon the court reporter's annual court compensation may be charged for time spent binding the transcript and exhibit binders.

(7) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent, or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

Section Three. Private Practice

(1) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript and the court reporter desires to utilize the court's equipment, work space and supplies, and the Court agrees to the use of the court equipment for such purpose, the Court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:

(a) The reasonable fair market rate for the use of equipment, work space and supplies;

(b) The method by which records are to be kept for the use of equipment, work space and supplies; and

(c) The method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies.

(2) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.